


# REPORT / RECOMMENDATION



**To:** Members of the Edina Housing & Redevelopment Authority **Agenda Item #:** HRA VII.

**From:** Bill Neuendorf   
Economic Development Manager

**Action** ☒  
**Discussion** ☐  
**Information** ☐

**Date:** August 5, 2013

**Subject:** Resolution No. 2013- 12, Authorizing Use of TIF Funds – LB 71 France Addition  
(Byerlys) Development Contract

## Action Requested:

Adopt Resolution.

## Information / Background:

On June 4, 2013, the City Council approved the redevelopment plans for the Byerly's site at 7171 France Avenue to allow for a new grocery store and three housing/retail buildings. This privately funded redevelopment will occur concurrently with three major public works projects:

- France Avenue sidewalk improvements, project number BA-404
- Hazelton Road improvements, project number BA-417 authorized 6-4-13
- Promenade Phase IV improvements, as conceived in the July 2007 Promenade Plan and designed per the 5-7-13 HRA authorization

In order to allow for efficient and coordinated construction, the developer will complete some improvements to the public infrastructure and will be reimbursed by the City for that work. Conversely, the City will complete a few items that would traditionally be the developer's responsibility and will be reimbursed by the developer. City staff has worked in partnership with the developer's staff and general contractor to determine a fair distribution of costs. The developer has agreed to share cost responsibility for several items that benefit their project as well as the general public.

TIF funds originating from the Centennial Lakes Tax Increment Financing District, located within the Southeast Edina redevelopment Project Area are the anticipated funding source for these projects.

This authorization is limited to the finite portions of work performed as part of the Byerly's site redevelopment. Separate authority will be sought when each of full projects are put out to bid for construction in 2014.

## Attachments:

Resolution No. 2013-12  
Refer to Agenda Item VIII. C. for the full Development Contract

**RESOLUTION NO. 2013-12**  
**AUTHORIZING USE OF TIF FUNDS – LB 71 FRANCE ADDITION**  
**(BYERLYS) DEVELOPMENT CONTRACT**

WHEREAS, the Edina Housing and Redevelopment Authority (HRA) and City Council of the City of Edina (City) previously established a redevelopment plan and a redevelopment project designated as the Southeast Edina Redevelopment Plan pursuant to Minnesota Statutes in an effort to encourage the development and redevelopment of certain designated areas within the City; and

WHEREAS, the City previously authorized roadway and sidewalk improvements known as Project BA-404 on France Avenue between 76<sup>th</sup> Street and 66<sup>th</sup> Street; and

WHEREAS, the HRA previously authorized the preparation of plans and construction oversight to build Project BA-404; and

WHEREAS, on May 7, 2013, the HRA authorized the preparation of engineering plans to design the Phase IV improvements as conceived in the July 2007 Promenade Plan; and

WHEREAS, on June 4, 2013, the City and HRA approved Resolutions 2013-47 and 2013-9, respectively, to authorize road improvements known as Project BA-417 on Hazelton Road between France Avenue and York Avenue; and

WHEREAS, also on June 4, 2013, the City approved Resolutions 2013-6 and 2013-45 which authorized the rezoning of the property located at 7171 France Avenue and granted approval to LB Edina, LLC (the Developer) to construct a new grocery store in addition to three multi-family housing buildings along with street level commercial space; and

WHEREAS, the boundaries of each of these public improvements about the private redevelopment and coordination is essential to construct the improvements in an efficient and cost-effective manner; and

WHEREAS, the City and Developer have prepared a strategy to share construction responsibility and costs in a manner that achieves critical timelines and allows each project to blend together to achieve mutual community goals; and

WHEREAS, this strategy results in the Developer and City constructing limited portions of the improvements that the other originally intended to build; and

WHEREAS, the City and Developer agree to reimburse each other for the costs related to the limited portions of the work that each originally intended to incur.

NOW, THEREFORE, BE IT RESOLVED, the Edina Housing and Redevelopment Authority authorizes the use of TIF funds from the Southeast Edina Redevelopment Project Area to reimburse the Developer, LB Edina, LLC for the costs associated with the construction of public improvements specified in Paragraph 7 of the Development Contact dated August 5, 2013.

Dated: August 5, 2013.

Attest: \_\_\_\_\_  
Ann Swenson, Secretary

\_\_\_\_\_  
James B. Hovland, Chair

STATE OF MINNESOTA)  
COUNTY OF HENNEPIN) SS  
CITY OF EDINA )

CERTIFICATE OF EXECUTIVE DIRECTOR

I, the undersigned duly appointed and acting Executive Director for the Edina Housing and Redevelopment Authority do hereby certify that the attached and foregoing Resolution is a true and correct copy of the Resolution duly adopted by the Edina Housing and Redevelopment Authority at its Regular Meeting of August 5, 2013, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Scott Neal, Executive Director